AR 20-1 Revision

Revision of Army Regulation 20-1

Major Changes

Publication Date: 23 May 2006

U.S. Army Inspector

AR 20-1 Revision

Outline

- **General Changes and Clarifications**
- **Major Changes by Chapter and Appendix**

General Changes and Clarification

AR 20-1 Revision

- **Many changes are clarifications to existing rules and guidelines.**
- **Some text has been rewritten for clarification purposes. The meaning or intent behind established rules and guidelines did not change.**
- **All doctrinal formats and some diagrams that appeared in the previous version of AR 20-1 are now omitted.**

AR 20-1 Revision

General Changes and Clarification

(continued)

- **This revision incorporates correct, up-to-date terminology.**
- **This revision incorporates previously approved changes to the regulation (Assistant IGs may swear oaths, etc.).**
- **TIGS added a new chapter (Chapter 10) on the role of the Army IG in the Joint and Operational Environment.**
- **The actual text that appears in AR 20-1 is the correct text in the event that an error appears in this presentation.**

Major Changes by Chapter

Chapter 1

AR 20-1 Revision

Security and Technology Inspections at Army Laboratories

- **Reference: Paragraph 1-4 a (10), Responsibilities (TIG)**
- **Sub-paragraph (j): Conducting security and technology inspections at selected Army laboratories and research, development, and testing facilities.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 1

Information Assurance Inspections

- **Reference: Paragraph 1-4 a (10), Responsibilities (TIG)**
- **Sub-paragraph (k): Conducting information assurance inspections throughout the Army.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 1

Allegations Against Personnel Assigned to SAs or SAPs

- **Reference: Paragraph 1-4 b, Inspectors general will --**
- **Sub-paragraph (5) Conduct investigations, including (c): Reporting to TIG (ATTN: SAIG–IO) any IGAR containing an allegation against any person assigned to a SAP or SA . . . within 2 working days after receipt by secure means.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 1

Reporting Law of War Violations

- **Reference: Paragraph 1-4, Responsibilities**
- **Sub-paragraph b (5) (h): Referring suspected law of war violations immediately to the chain of command for action. In addition, report suspected law of war violations immediately via confidential means to the next higher echelon IG for information (concurrent with a report to TIG (ATTN: SAIG–AC)). If the incident involves a senior official, report it to DAIG's Investigations Division.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 1
Management Control Responsibilities

- **Reference: Paragraph 1-4 b, Inspectors general will --**

- **Sub-paragraph (7) : Review Management Control requirements and responsibilities to—**

  (a) Complying with the basic requirements of Management Control as outlined in AR 11-2. (See app B.)

  (b) Assisting the local office responsible for Management Control in ensuring that Management Control policies, standards, and requirements have been effectively implemented within the organization.

  (c) Being aware of the Management Controls found in most Army regulations and to consider these controls when planning and executing IG inspections of systemic issues.

Major Changes by Chapter

AR 20-1 Revision

Chapter 1
Support to IMA and Other Activities

- **Reference:** **Paragraph 1-4, Responsibilities**

- **Sub-paragraph c (3):** **Provide, if a senior mission commander, IG support for installation tenant organizations, installation activities under the Installation Management Agency (IMA), the activities of other commands under the senior mission commander's operational control, and other Army agencies. Written agreements documenting the provision of IG support are not necessary unless the supported agency requires special or mission-unique support. MACOM IG offices or designated subordinate commands will provide support to IMA regional headquarters.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 1
Revised IG Concept and System

- **Reference: Section II, paragraph 1-6, Inspector general concept and system**
- **(1) IGs serve their commanders and their commands by executing the four IG functions—Teaching and Training, Inspections, Assistance, and Investigations—through the IG Inspections Process and the IG Action Process (IGAP) for the specific purpose of enhancing the command's discipline, readiness and warfighting capability. IGs use these fact-finding functions to seek out systemic issues that affect the command and the Army. The two main factors that bear directly upon, and often characterize the execution of, these four functions are the IG tenet of confidentiality (see para 1-12) and the restrictions placed upon the distribution and use of IG records (see chap 3). (2) IGs function within a system of Army-wide IGs who cooperate and assist each other in executing these functions on behalf of their respective commands—even though they serve other commands and commanders. The effective functioning of the IG System depends upon the mutual cooperation of all IGs through IG technical channels not simply within each particular command but throughout the Army as a whole. (3) IGs operate within an environment consisting of the commander, the commander's staff, the commander's soldiers, family members, DA civilian employees, retirees, and other civilians needing assistance with an Army matter. These individuals represent the IG's constituency, and IGs bolster the chain of command by performing the four IG functions in support of this constituency.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 1
Reinforcing the Chain of Command

- **Reference: Section II, paragraph 1-6, Inspector general concept and system**
- **Sub-paragraph c (4): However, IGs must work through and with the chain of command if the IG System is to be viable, effective, and relevant. The IG System must reinforce and bolster the chain of command at all times without undermining it.**

Major Changes by Chapter

Chapter 1

AR 20-1 Revision **Air National Guard IGs in State IG Offices**

- **Reference: Paragraph 1-10, Inspector general guidelines for Army National Guard matters**
- **Sub-paragraph f: Multiservice headquarters in each state currently provide opportunities for Air National Guard (ANG) IGs to work in state IG offices. ANG IGs work at the direction of the TAG or the primary IG (an Army officer). The command IG will follow these guidelines when selecting a member of the ANG to work in the State IG office:**

  (1) ANG IGs must successfully complete TIGS in order to work Army IG assistance cases in accordance with this regulation and have access to IGNET and the IGARS database.

  (2) During the temporary absence of the command IG, TAG may designate an ANG IG as the acting primary IG if he or she is the senior officer.

  (3) ANG personnel working in a State IG office will be considered assistant IGs only despite their grade and perform only the functions of an assistant IG. The only exception will be ANG IGs serving as acting primary IGs; these ANG IGs will be considered as detailed IGs for the duration of their temporary duty as the command IG and may lead Army inspections and investigations in accordance with this regulation (see para 2-2).

Major Changes by Chapter

AR 20-1 Revision

Chapter 1

Updated Guidelines on Confidentiality

- **Reference: Section IV, paragraph 1-12, Confidentiality**

- **The paragraph is completely rewritten and includes the following:**
  - **Clarifies the IG tenet of confidentiality**
  - **Addresses the impact of confidentiality by function**
  - **Further clarifies the Triangle of Confidentiality and how the triangle varies by function**
  - **Includes a new diagram (Figure 1-1) that visually depicts the nature of the Triangle of Confidentiality by function**

AR 20-1 Revision

Major Changes by Chapter

Chapter 2

DA Civilians as Detailed IGs

- **Reference: Paragraph 2-2, Inspector general categories**
- **Sub-paragraph c: In addition, DA civilians in the grade of GS-12 (CPT equivalent) and above or pay-band equivalent may be designated as detailed IGs. TIG must be informed 30 days prior to any DA civilian being designated as a detailed IG (see paragraph 2-3*a*).**

Major Changes by Chapter

AR 20-1 Revision

Chapter 2

Commissioned Warrant Officers as Detailed IGs

- **Reference: Paragraph 2-2 c, Inspector general categories**
- **Commissioned chief warrant officers (CWOs) also serve as detailed IGs.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 2
Acting IG Appointment Authorities

- **Reference: Paragraph 2-2, Inspector general categories**
- **Sub-paragraph f: Acting IGs are commissioned officers appointed to this additional—but temporary—duty by a MACOM commander or the senior Army Forces commander when serving under a joint or unified command.**

Major Changes by Chapter

Chapter 2

AR 20-1 Revision

Administrative Support Staff and the Assistance Function

- **Reference: Paragraph 2-2, Inspector general categories**

- **Sub-paragraph g: The command IG, after consulting with and receiving permission from TIG, may designate school-trained office and administrative support staff personnel to serve temporarily as assistant IGs on an emergency basis for specified periods of time. These designated support staff members may perform all of the duties of an assistant IG such as leading assistance; teaching and training; and participating in inspections and investigations, to include administering oaths as authorized.**

Major Changes by Chapter

Chapter 2

AR 20-1 Revision **Restrictions on DA Civilians / TPU Soldiers**

- **Reference: Paragraph 2-3, Inspector general certification**

- **Sub-paragraph f: TIG must be notified of Department of the Army civilians who also serve as Troop Program Unit (TPU) soldiers assigned to the command and who are considered for IG positions because of the inherent conflict of interest that might arise in holding both positions within the same command.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 2

Administering the IG Oath

- **Reference: Paragraph 2-5, Inspector general oath**
- **Sub-paragraph a: A detailed IG may administer the IG oath to any category of IG. An assistant IG may administer the IG oath to a temporary assistant or acting IG. An acting or temporary assistant IG may not administer the IG oath. Contractor personnel working in an IG office will not take the IG oath.**

AR 20-1 Revision

Major Changes by Chapter

Chapter 2

Expanded IG Duty Restrictions

- **Reference: Paragraph 2-6, Inspector general duty restrictions**
- **Sub-paragraph a (3): Examples include staff duty officer or NCO; line of duty investigator; casualty assistance officer or NCO; member of an interior guard force; member of a contracting awards board; member of a civilian awards board; member of a local awards board, promotion board, or command board; management control coordinator; member of a funeral detail; or member of any committee or function unless directly related to IG matters.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 2

Approval Requirements to Perform Non-IG Functions

- **Reference: Paragraph 2-6, Inspector general duty restrictions**

- **Sub-paragraph d: Commanders must gain TIG approval to use their IGs for non-IG duties because of operational requirements, taskings, and other demands—even if the tasking or requirement is for only one day in duration. IGs will advise their commanders that TIG reserves the right to approve or disapprove all such requests.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 3
IG Records and Senior Officials

- **Reference: Paragraph 3-3 b, Use of inspector general records for adverse actions**

- **Sub-paragraph (2): IG records may be used as the basis for an adverse action against a senior official with TIG or DTIG approval as outlined in subparagraph 3-3 *a*. The adverse action must ultimately afford the senior official due process protection, to include the opportunity to review the IG records that serve as the basis for the adverse action and make a written statement in rebuttal or to decline in writing the opportunity to make such a statement.**

AR 20-1 Revision

Major Changes by Chapter

Chapter 3

Flagging Actions

- **Reference: Paragraph 3-3, Use of inspector general records for adverse actions**
- **New paragraph e: Commanders will not initiate a flagging action for individuals under IG investigation since such an action could be construed as adverse in nature. Commanders seeking approval for the use of IG records for adverse action may flag the individual in accordance with AR 600-8-2 immediately upon initiating the request.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 3

Requests for IG Records for Official Use Only

- **Reference: Paragraph 3-6, Official use of inspector general records within Department of the Army**

- **Sub-paragraphs a and c completely rewritten to:**
  - **Clarify the release authority for IG records For Official Use Only (FOUO) and adverse action**
  - **Provide authority for local IGs to share approved DAIG Inspection Reports with members of their commands**
  - **Clarify the Legal Advisor's release authority for specific records (FOUO)**

Major Changes by Chapter

AR 20-1 Revision

Chapter 3

IG Inspection Results Used for Adverse Action

- **Reference: Paragraph 3-6 a, Official use of inspector general records within Department of the Army**

- **Sub-paragraph (5): Rating officials and supervisors may not cite inspection findings, inquiry results, or other IG information that would not be otherwise readily available in non-IG records or sources in an evaluation report, performance appraisal, or other evaluation that is maintained in official personnel records and either is or will become an adverse action. MACOMs may request to use IG inspection results for adverse action from inspections conducted by the DAIG Information Assurance, Intelligence Oversight, and Technical Inspections Divisions.**

Major Changes by Chapter

Chapter 3

AR 20-1 Revision

IG Records for Official Use Outside the Department of the Arm

- **Reference: Paragraph 3-7, Official use of inspector general records outside Department of the Army**

- **Sub-paragraph a and portions of b and c completely rewritten to:**
  - **Outline the procedures for requesting IG records through the Freedom of Information Action (FOIA) and Privacy Act (PA)**
  - **Provide clarification on the request for IG records from a Member of Congress (MC)**
  - **Clarify the procedures for releasing IG records outside DA for official use**
  - **Clarify the use of IG records by investigators outside DA**
  - **Establish guidelines for IG records requests from labor organizations**

Major Changes by Chapter

AR 20-1 Revision

Chapter 4

IGAR Time Limit: Three Years

- **Reference: Paragraph 4-2, Step 1: Receive an Inspector General Action Request (IGAR)**

- **Sub-paragraph d, Time Limit: Complainants must present their issues to an IG in a timely manner in order for the IG to resolve them effectively. An IG is not required to look into a complaint if the complainant has failed to present the matter to an IG within one year of learning of an alleged problem or wrongdoing or if more than three years have elapsed since the date of the problem or wrongdoing. MACOM IGs and DAIG may accept and refer complaints submitted between three and five years after the alleged wrongdoing where extraordinary circumstances justify the complainant's delay in reporting the allegation or issue—or in cases of special Army interest. MACOM IGs may also approve for action complaints received by subordinate IG offices that occurred between three and five years after the alleged wrongdoing and where extraordinary circumstances exist. MACOM IGs—and DAIG—will serve as the office of record when referring such cases to a lower-level IG. TIG is the final authority for complaints beyond five years. This time limit does not invest IGs with the authority to decline a referral from IG, DOD, or a MC; in addition, the time limit does not apply to the requirement to report allegations against senior officials in accordance with paragraphs 1–4*b* (5)(*d*) and 1–4*c* (4).**

Major Changes by Chapter

AR 20-1 Revision

Chapter 4
Abusers of the IG System

- **Reference:** **Paragraph 4-2 h, Other considerations**

- **Sub-paragraph (5), Abusers of the IG system:** **The IG must assume that each complaint received is legitimate and worthy of further inquiry. . . However, in situations where a complainant has a documented history of submitting baseless and unfounded issues and allegations, or has presented a pattern of complaints that are false, malicious, deceptive, and defamatory, the command IG may require the complainant to present any and all subsequent matters in writing *only* via fax or mail. While not intended to discourage the submission of additional matters, this procedure will prompt the complainant to be deliberate, specific, and truthful. Before imposing this condition on a complainant, the IG must obtain the directing authority's approval and inform the DAIG Assistance Division. The IG will then notify the complainant of the requirement in writing, clearly state the reasons for the requirement, and provide the complainant with the IG fax number and mailing address. The IG will include a copy of the notification in the case file; adhere to the IGAP by reviewing all additional submissions for new evidence, issues, and allegations; and annotate any actions taken in the case notes. The IG may also advise the directing authority that he or she may choose to resolve the complainant's numerous issues or allegations by other means.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 4
Elements of an Allegation

- **Reference: Paragraph 4-4 c, Elements of an allegation**

- **Sub-paragraph (2), Improperly: Some standards include language that indicates the inherent wrongfulness of the action. For example, "dereliction of duty" already describes wrongful behavior without the addition of the word "improperly". In these cases, IGs should not include the word "improperly" in the allegation. IGs should seek the assistance of their local JA or the DAIG Legal Advisor in formulating allegations if questions arise.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 4

Case-Data Visibility by Higher-Echelon IG Offices

- **Reference: Paragraph 4-11, Close the Inspector General Action Request**

- **Sub-paragraph b as follows: Higher echelon IG offices will identify key individuals by name within the office who will have permission to see a lower echelon IG office's case data in the IGARS database for the purpose of trends analysis. The higher-echelon IG office may only see basic case data for open and closed cases and not the detailed information contained in each case. Basic case data includes case number, date opened or closed, status, case label name, name of the complainant, problem area, function code, and names of subjects/suspects. Further access may be requested case by case through the DAIG Assistance Division (SAIG-AC).**

Major Changes by Chapter

AR 20-1 Revision

Chapter 5
Sustainment Training: Every Four Years

- **Reference: Paragraph 5-5 b, Inspector general inspection policy**

- **Sub-paragraph (4):*Sustainment training.* All IGs, uniformed and civilian, must re-certify as IGs every four years by attending a TIGS sustainment-training course. This course will update serving IGs on current policy and doctrine. . . Each IG must pass the course's prescribed tests and evaluations to re-certify as an IG. IGs who fail to re-certify at a TIGS sustainment-training course must return and successfully pass sustainment training . . . before TIG de-certifies that IG. IGs serving beyond four years must complete a TIGS sustainment-training course within four months of the end of that four-year period. TIG will automatically de-certify any IG serving beyond 52 months who has not re-qualified at a TIGS sustainment-training course . . .**

AR 20-1 Revision

Major Changes by Chapter

Chapter 6

Command Climate Sensing Sessions

- **Reference: Paragraph 6-3, Inspector general inspection policy**
- **Sub-paragraph n: IGs will not normally conduct command climate sensing sessions. Other staff proponents such as the EO advisor, chaplain, or EEO are trained to conduct these sensing sessions and should perform them as requested during command or staff inspections. IGs predominantly use sensing sessions to gather information during inspections or to pursue specific issues or topics when providing assistance or conducting investigations. The IG will always recommend first that the appropriate staff proponents conduct command climate surveys and sensing sessions. The proponent for DA Pam 600–69 is the Deputy Chief of Staff, G-1. When conducting sensing sessions involving civilian employees, the IG must first coordinate with the servicing CPAC to determine if the IG must notify a union.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 6
Compressed Inspections

- **Reference: Paragraph 6-6, Compressed inspections**
- **Periods of high operational tempo, such as a deployed or wartime environment, may cause the IG to compress certain steps in the IG inspections process in order to provide rapid feedback that allows the commander to make informed decisions quickly. The key to compressing the IG inspections is to avoid putting the validity of the findings and recommendations at risk. In these situations where timely completion of the inspection is critical, the IG, in coordination with the directing authority, must identify the purpose and scope of the inspection and choose carefully which steps to compress or omit (more text follows in the regulation).**

Major Changes by Chapter

AR 20-1 Revision

Chapter 6

Expanded Information on Technical Inspections

- **Reference: Section II, paragraphs 6-7 to 6-15, Technical Inspections**

- **All paragraphs in the section completely rewritten to:**
  - **Outline the nature, objectives, and jurisdiction of DAIG-level Technical Inspections**
  - **Describe the Technical Inspections process (eliminated SOP-related information)**
  - **Explain the inspection ratings and reports**
  - **Describe reclama procedures**
  - **Specify in various tables the scope of each type of inspection conducted (Nuclear Surety Inspection, etc.)**

Major Changes by Chapter

AR 20-1 Revision

Chapter 6

Inspections of SAs, SAPs, and Army Laboratories

- **Reference: Paragraph 6-19, Special access programs, sensitive activities, and Army laboratories**

- **Two new sub-paragraphs:**

  a. The DAIG Intelligence Oversight Division (IOD) will conduct inspections of Special Access Programs (SAPs) and Sensitive Activities (SAs) on a rotating basis based upon the number of approved SAPs and SAs. The Technology Management Office (TMO) is responsible for determining the list of organizations subject to inspection by the DAIG IOD.

  b. IOD team members will conduct security management inspections of selected Army laboratories and research, development, and testing facilities on a five-year rotational basis. A memorandum of understanding (MOU) with the Deputy Under Secretary of Defense for Laboratories and Basic Science and the DODIG establishes proponency for these inspections.

AR 20-1 Revision

Major Changes by Chapter

Chapter 7

Founded and Unfounded

- **Reference: Paragraph 7-2 b (7) (a), Step 7, Close the file**

- **Each issue must be annotated as either “founded" or “unfounded" within the synopsis depending upon what the IG learned during factfinding. "Founded" means that the IG inquiry into the issue determined that the problem or complaint had merit and required resolution. "Unfounded" means that the IG inquiry into the issue or complaint yielded no evidence to prove that a problem existed for the IG to resolve.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 8

Privileged Information

- **Reference: Paragraph 8-4, Conduct of inspector general investigations and investigative inquiries**
- **Sub-paragraph g: IGs will not consider evidence that is privileged under the following Manual for Courts Martial (MCM 2005), Military Rules of Evidence (MRE), as follows: communications between a lawyer and client (MRE 502), privileged communications with clergy (MRE 503), the husband-wife privilege (MRE 504), the political vote privilege (MRE 508), deliberations of courts and juries (MRE 509), and the psychotherapist-patient privilege (MRE 513). In addition, IGs will not use evidence derived from the illegal monitoring of electronic communications in violation of 18 USC 2511. Furthermore, IGs may not use in any IG inquiry or investigation evidence derived from other evidence procured in violation of 18 USC 2511 pursuant to 18 USC 2515.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 8
Closed Without Findings

- **Reference: Paragraph 8-4 k, Investigative Conclusions**

- **Sub-paragraph (7): Closed Without Findings: IGs will consider an allegation as closed without findings when the inquiry or investigation is terminated prior to conclusion due to the following special circumstances:**
- **(a) The allegation relates to actions that are more than 3 years old. The IG will document the relevant time periods and close the case without findings.**
- **(b) A legal process such as a court order or a settlement between the U.S. Government and a subject includes a requirement to terminate all on-going inquiries or investigations. The IG will obtain a copy of the order or settlement, include it in the case file, and record the matter as closed without findings.**

Major Changes by Chapter

AR 20-1 Revision

Chapter 8
Use of Command Products

- **Reference: Paragraph 8-8, Use of command products in IG investigations and investigative inquiries**

- **IGs may use command products as evidence to resolve allegations brought to the IG. Command products include, but are not limited to, commander's inquiries and formal and informal investigations conducted under the provisions of AR 15-6. IGs will not substitute command products for a ROI or ROII, which are required to substantiate or not substantiate allegations made to an IG. Instead, the IG must complete a ROI or ROII and consider the command product as a primary piece of evidence when completing the report. However, the IG does not have to accept the results of the command product and instead may make another determination in the report. If the IG makes a determination that contradicts the conclusion reached in the command product, the IG will obtain a legal review. Because the command product in question has already had a legal review, the IG must ensure that any decision that overrides previous legal advice receives a fresh legal examination.**

AR 20-1 Revision

Major Changes by Chapter

Chapter 10
Joint Military Operations

- **Reference: Chapter 10, The Role of Inspectors General in Joint Military Operations**
- **Added a new chapter with the following paragraph headings:**
  - **10-1. Joint and expeditionary mindset**
  - **10-2. The role of the IG in joint military operations**
  - **10-3. The transition from the Army to the joint environment**
  - **10-4. Working with combatant command IG offices**

Major Changes by Chapter

Glossary

AR 20-1 Revision

Revised Definition for Adverse Action

- **Reference:** **Glossary, Section II, Terms**

- **Adverse Action:** **Any personnel action, administrative or judicial, that takes away an entitlement, results in an entry or document added to the affected person's official personnel records that boards or superiors could consider negative, or permits the affected person to rebut or appeal the action. "Personnel action" includes actions defined in 5 USC 2302 and 10 USC 1587 as well as in DODD 7050.6. E1.1.7. Adverse action includes "unfavorable information" as described in AR 600-37; UCMJ action; or, with regard to civilian employees, "disciplinary action" pursuant to AR 690-700. Delete: and DOD 1400.25-M. Other actions include a promotion; a transfer or reassignment; a performance evaluation; a decision on pay, benefits, awards, or training; referral for mental health evaluations under DODD 6490.1; and any other significant change in duties or responsibilities inconsistent with the military or civilian member's rank or grade. A commander or supervisor desiring to take such action against an individual based on an IG document requires TIG release of that document.**

Revision of Army Regulation 20-1

Major Changes